

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE:	: 25-md-3143 (SHS) (OTW)
OPENAI, INC.,	:
COPYRIGHT INFRINGEMENT LITIGATION	: <u>CASE MANAGEMENT</u>
	: <u>ORDER #2</u>
This Document Relates To:	:
All Actions	:

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SIDNEY H. STEIN, U.S. District Judge.

For the reasons set forth on the record at the case management conference today, it is hereby ORDERED that:

**I. LEADERSHIP COUNSEL**

The Court appoints a Leadership Committee for the News Plaintiffs<sup>1</sup> consisting of four law firms and six attorneys, namely: (1) Susman Godfrey, with Ian Crosby as Lead and Davida Brook as Co-Lead; (2) Rothwell Figg, with Steven Lieberman as Lead and Jennifer Maisel as Co-Lead; (3) Loevy and Loevy, with Matthew Topic as Lead; and (4) Klaris Law, with Lance Koonce as Lead. The Court appoints Davida Brook as Liaison Counsel.

The Class Plaintiffs<sup>2</sup> are directed to submit a proposal for the appointment of a single interim class counsel pursuant to Federal Rule of Civil Procedure 23(g) by May 28, 2025. If the Class Plaintiffs cannot reach an agreement, they are directed to submit their competing applications on or before May 28, 2025.

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<sup>1</sup> The News Plaintiffs are the plaintiffs in the following actions: *The New York Times Company v. Microsoft Corporation, et al.*, No. 23-cv-11195, *Daily News, LP et al. v. Microsoft Corporation, et al.*, No. 24-cv-03285, *Raw Story Media, Inc., et al. v. OpenAI, Inc., et al.*, No. 24-cv-01514, *The Intercept Media, Inc. v. OpenAI, Inc., et al.*, No. 24-cv-01515, *The Center for Investigative Reporting, Inc. v. OpenAI, Inc., et al.*, No. 24-cv-04872, and *Ziff Davis, Inc., et al. v. OpenAI, Inc. et al.*, No. 25-cv-04315.

<sup>2</sup> The Class Plaintiffs are the plaintiffs in the following putative class actions: *Tremblay, et al. v. OpenAI, Inc., et al.*, 25-cv-03482 (including the two actions that have been consolidated with *Tremblay: Silverman, et al. v. OpenAI, Inc., et al.*, 25-cv-03483 and *Chabon, et al. v. OpenAI, Inc., et al.*, 25-cv-03291); and *Authors Guild, et al. v. OpenAI, Inc., et al.*, 23-cv-08292 (including the action that has been consolidated with *Authors Guild: Alter, et al. v. OpenAI, Inc., et al.*, 23-cv-10211). Separately, *Basbanes, et al. v. Microsoft Corporation, et al.*, 24-cv-00084 and *Millette v. OpenAI, Inc., et al.*, 25-cv-03297 have been stayed pending a ruling on class certification or summary judgment in the consolidated class action.

The responsibilities and authority of Leadership and Liaison Counsel are as set forth in the Manual for Complex Litigation, Fourth §§ 10.221 and 40.22.

## II. CONSOLIDATED CLASS ACTION COMPLAINT

The Class Plaintiffs shall file a single Consolidated Class Action Complaint **on or before June 13, 2025**, which is to include only the same products and causes of action that have already been asserted in the pending putative class actions.

## III. THE PETRYAZHNA ACTION (FORMERLY *MILLETTE v. OPENAI*)

The parties shall file a stipulation **on or before May 23, 2025** to stay the Petryazhna matter pending a determination of class certification or summary judgment in the consolidated class action.

## IV. ADDITIONAL DEADLINES

The Times is directed to submit a stipulation that its motion for leave to amend the complaint is unopposed **on or before May 27, 2025**.

Defendants are directed to file their oppositions to Raw Story Media's motion for reconsideration **on or before Tuesday, May 27, 2025**. Raw Story Media shall file its reply **on or before June 2, 2025**.

Defendants shall file responses to the *Ziff Davis* complaint **on or before June 10, 2025**.

The parties shall submit a joint proposed case schedule **on or before June 17, 2025**. The deadline for motions for summary judgment must precede class certification briefing in the proposal. If the parties cannot agree upon a proposed case schedule, they shall submit their competing proposals **on or before June 17, 2025**.

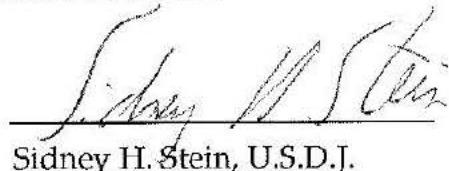
## V. ADDITIONAL MATTERS

Discovery is deemed to be open in the *Ziff Davis* action. All other matters pertaining to discovery, including protective orders, discovery coordination, deposition protocols, and training data inspection protocols, will be addressed by Judge Wang at the May 27, 2025 discovery status conference.

Dated: New York, New York

May 22, 2025

SO ORDERED:



Sidney H. Stein, U.S.D.J.